

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO(s). 164 OF 2013

AANCHAL THAKUR & ORS. Petitioner(s)

VERSUS

STATE OF PUNJAB & ANR. Respondent(s)

(With appln(s) for directions and office report)

Date: 10/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr.V.C.Mahajan, Sr.Adv.
Mr.Sarwa Mittdr, Adv.
Mr.Amit Gupta, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

In this petition filed under Article 32 of the Constitution, the petitioners have made the following substantive prayers:

"(i) declare the actions of Respondents in not dereserving the 16 posts are highly illegal and unconstitutional and violative of petitioners fundamental right under Article 14 and 16 of the Constitution of India.

(ii) to declare the actions of Respondents are illegal as all the reserve category 16 posts ought to have been dereserved by not adopting the policy of pick and choose is highly unconstitutional and violative of Articles 14 and 16 of the Constitution of India.

(iii) to issue directions to Respondents to declare all the 16 reserved category posts into General Category so that same may be filled from the general category in order of their merits.

(iv) direct the respondents to take immediate step to declare all 16 reserve category posts into General Category and also for direction to the Respondents to issue appointment letters to the petitioners."

We have heard Shri V.C.Mahajan, learned senior counsel for the petitioners and perused the record.

In our considered view, the writ petition filed under Article 32 of the Constitution does not deserve to be entertained because the petitioners can avail appropriate remedy by filing petition under Article 226 of the Constitution before the jurisdictional High Court.

The writ petition is accordingly dismissed with liberty to the petitioners to file an appropriate petition before the jurisdictional High Court.

(Satisb K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master